

PATENT
Customer No. 22,852
Attorney Docket No. 08049.0011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Oscar Lee Avant et al.) Group Art Unit: 3653
)
Serial No.: 09/652,707) Examiner: Daniel K. Schlak
)
Filed: August 31, 2000)
)
For: APPARATUS AND METHODS)
FOR PROCESSING MAILPIECE)
INFORMATION BY AN)
IDENTIFICATION CODE SERVER)

11
9-5-03

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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Sir:

RESPONSE TO SECOND RESTRICTION REQUIREMENT

In a restriction requirement dated April 15, 2003 (the time for response extended to June 15, 2003 by a one-month extension of time), the Examiner required restriction under 35 U.S.C. § 121 between three groups of claims: Group I containing claims 1-240, Group II containing claims 241-248, and Group III containing claims 249-262. Applicants provisionally elect to prosecute Group I, claims 1-240, characterized by the Examiner as drawn to methods/apparatus for processing mailpiece information.

Within Group I, the Examiner also alleged that the claims were drawn to two patentably distinct species and required election of either Species I, drawn to transmitting identification to a mail processing system, represented by claims 16, 29-31, 40-42, 64-66, 113, 114, 116-126, 127-142, and 195-226, or Species II, drawn to updating a secondary database with information from mailpieces, represented by claims

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21-28, 32-39, 43-52, 54-63, 67 and 68. Furthermore, the Examiner has identified claims 1-15, 17-20, 173-194, and 227-240 as generic to both species and claims 53, 69-112, 115 and 143-172 as comprising both species. Applicants thank the Examiner for providing this updated species listing include claims omitted from the first Restriction Requirement.

Applicants maintain the traversal of this election of species requirement, as previously set forth in the Response to Restriction Requirement filed February 3, 2003, because the Examiner has not shown that there would be any burden to examine both of the alleged species. However, to fully respond to the election of species requirement, Applicants elect with traverse Species I, characterized by the Examiner as drawn to transmitting identification to a mail processing system.

Applicants submit herewith a Petition for One Month Extension of Time for responding to the Restriction Requirement with the requisite fee. Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 16, 2003

By: 

Richard V. Burgujian
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